

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RIGOBERTO SARMIENTO, et al.,

Plaintiffs,

v.

FRESH HARVEST, INC., et al.,

Defendants.

Case No. [20-cv-07974-BLF](#) (SVK)

**DISCOVERY ORDER**

Re: Dkt. No. 63

The Parties' joint submission (Dkt. 63) and supplemental submissions pursuant to Dkt. 64 identify numerous disputed requests for production, though how many and on what grounds are unclear because Plaintiffs' complaints and Defendants' objections are scattered throughout the submissions and, as such, difficult to discern.<sup>1</sup> Further, the proffered charts are not complete and not properly formatted and therefore not helpful to the Court. This is not a matter of mere form over substance. If the Parties cannot clearly articulate the issues and their respective positions, the Court cannot provide guidance and rulings. Accordingly, the Court **ORDERS** as follows:

1. Defendants state in Dkt. 63 that with the protective order in place, Fresh Harvest will remove redactions on the contracts and invoices it has produced. That is to be done immediately and the documents re-produced to Plaintiffs **within 7 days of this order**.
2. Plaintiffs are to re-organize their portion of the joint submission, organizing it into categories of related RFPs, identifying the category and the specific requests covered by each category. For example: Documents relating to H-2A job orders (Request nos. \_\_-\_\_); Documents provided to workers (Request nos. \_\_-\_\_); etc. For each category, Plaintiffs are to explain the relevance of the requests and address any issues of

<sup>1</sup> In addition, Exhibit A reflects RFPs directed to Fresh Harvest and Exhibit B reflects RFPs directed to SMD Logistics. The RFPs contained in Exhibits A and B are not identical.

proportionality. **Plaintiffs are to provide their portion of the joint submission to Defendants within 5 days of this order.**

3. Defendants are to re-organize their portion of the joint submission using Plaintiffs' categorized format, inserting their position under Plaintiffs' position for each category. **Defendants are to provide their portion to Plaintiffs with 5 days of receiving Plaintiffs' portion.** The parties are to meet and confer regarding finalizing and must file a Supplemental Joint Submission, not to exceed 8 pages, **within 15 days of this order.**
4. The Parties are to submit a chart, single-spaced in landscape format that identifies the request, the response, a *brief summary* (e.g., 2-3 sentences) of each Party's position and *offer of compromise* presented side-by-side (not vertically), and a column for the Court's ruling. The chart is merely a summary; it is not the place to paste arguments from the joint submission. Parties often set forth the request and response with the column-formatted positions underneath, to wit:

Request: \_\_\_\_\_

Response \_\_\_\_\_

Plaintiff's Position	Defendant's Position	Proposed Compromise	Court Order
		Plaintiff:  Defendant:	

**SO ORDERED.**

Dated: July 15, 2021



SUSAN VAN KEULEN  
United States Magistrate Judge